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REMARKS

Applicant has amended claim 1 and canceled claim 4 without prejudice. Applicant respectfully submits that these amendments to the claims are supported by the application as originally filed and do not contain any new matter. Accordingly, the Office Action will be discussed in terms of the claims as amended.

The Examiner has rejected claim 4 under 35 USC 112, second paragraph, as being indefinite, for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has canceled claim 4 without prejudice.

The Examiner has rejected claims 1, 2, 4 and 6-8 under 35 USC 103 as being obvious over Katoh, et al., stating that Katoh et al. discloses polyurethane sealing materials comprising polyurethane foams prepared from material components which include antioxidant, antiozonant, catalysts, isocyanates and polyester polyols prepared from dimer acid initiators having molecular weights as claimed, but differs from Applicant's invention in that blends of the respective antiozonants and antioxidants specifically required to have molecular weights within the ranges of values claimed by Applicants are not particularly demanded; however, it is the Examiner's opinion that the species of compounds as claimed by Applicants are recited for the purposes of imparting their respective antioxidant and antiozonant effects in articles formed; and it would have been obvious to one of ordinary skill in the art to modify Katoh et al. to have the required molecular weights within the ranges of values claimed by Applicant for the antiozonants and antioxidants.

In reply thereto, Applicant would like to first point out that Applicant's invention requires two different antioxidants. The antioxidants are the synthesizing antioxidant used to synthesize the polyol and the antioxidant used to create the polyurethane foam. Still further, Applicant respectfully submits that the polyol synthesized using the particular synthesizing antioxidant with its particular average number of molecular weight has particular properties. Accordingly, Applicant respectfully submits that the polyol which is synthesized by the particular antioxidant is not a limitation based on the means by which the antioxidants are incorporated and in fact is a physical limitation of the polyol. Also and similarly, Applicant respectfully submits that when the polyurethane foam is created using the particular antioxidant, it too is created to have particular properties and particularly has the property that the amount of volatile organic compounds emitted from the polyurethane foam is reduced. Still further, Applicant respectfully

submits that the advantage of Applicant's invention, namely reducing the amount of volatile organic compounds produced, cannot be achieved without using the synthesizing antioxidant and the antioxidant with the particular average number of molecular weight. Still further, Applicant respectfully submits that there is nothing in Katoh et al. to suggest that one would adjust the molecular weight of the synthesizing polyol or the antioxidant used in making the polyurethane foam in order to reduce the amount of volatile organic compounds emitted. Accordingly, Applicant respectfully submits that there is nothing to suggest to one of ordinary skill in the art to make the modifications suggested by the Examiner.

In addition, Applicant respectfully submits that nowhere in Katoh et al does it show or suggest anything about the average molecular weight of the antiozonant utilized or that utilizing a particular antiozonant would result in a polyurethane foam with reduced volatile organic compounds. Again, Applicant respectfully submits that there is no suggestion to one of ordinary skill in the art to modify Katoh et al. by changing the average molecular weight of the antiozonant. Finally, Applicant respectfully submits that utilizing an antioxidant consisting of hindered phenol compounds and an antiozonant consisting of aromatic secondary amines is also not suggested or shown in Katoh et al.

In view of the above, therefore, Applicant respectfully submits that claims 1, 2 and 6-8 are not obvious over Katoh et al.

The Examiner has rejected claims 1, 2, 4 and 8 under 35 USC 103 as being obvious over Clauss, stating that Clauss discloses polyurethane sealing materials comprising polyurethane foams prepared from material components including antioxidants, antiozonants, catalysts, isocyanates and polyols which read on the products as claimed, but differs from Applicant's claim in that blends of the respective antiozonants and antioxidants specifically required to have molecular weights within the ranges of values claimed by Applicants are not particularly demanded; however, it is the Examiner's opinion that within Clauss species of compounds as claimed by Applicants are recited as being employed for purposes of imparting their respective antioxidant effects in articles formed; and it would have been obvious to one of ordinary skill in the art to modify Clauss.

In reply thereto, Applicant would like to again point out that Applicant's invention requires two different antioxidants and antiozonants that all have particular average molecular weight so as to achieve the advantage of reduced volatile organic compounds. In addition, the

antioxidant in Applicant's invention is in effect two different antioxidants as discussed above, namely the synthesizing antioxidant for the polyol and the antioxidant used to create the polyurethane foam. The utilization of these two antioxidants in the two different portions of the process creates a polyol with particular characteristics and ultimately a polyurethane foam with the required advantages.

Applicant respectfully submits that there is nothing in Clauss to suggest that one would adjust the molecular weights of the antioxidant or antiozonant in order to reduce the volatile organic compounds produced and therefore, does not suggest to one of ordinary skill in the art to make this adjustment or change.

In view of the above, therefore, Applicant respectfully submits that claims 1, 2 and 8 are not obvious over Clauss.

In view of the above, therefore, it is respectfully requested that this Amendment be entered, favorably considered, and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

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 William L. Androlia

Name

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